

RESOLUTION NSFSD 2023-02

**NORTH SUMMIT FIRE SERVICE DISTRICT
RESOLUTION ADOPTING RULES OF ORDER AND PROCEDURE
FOR BOARD MEETINGS
May 11, 2023**

THIS RESOLUTION ADOPTING RULES OF ORDER AND PROCEDURE FOR ADMINISTRATIVE CONTROL BOARD MEETINGS is made this 11th day of May, 2023, by the North Summit Fire Service District Administrative Control Board (“NSFSD ACB”) for the NORTH SUMMIT FIRE SERVICE DISTRICT, a special service district duly organized under the laws of the State of Utah as a public body corporate and politic (the “Resolution”).

WHEREAS, North Summit Fire Service District (the “**District**”) is a political subdivision of the State of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, pursuant to Utah Code § 17D-1-301 and Summit County Code 2-25-3, the Summit County Council created the NSFSD ACB to, consistent with state law, govern the District’s affairs; and

WHEREAS, during the 2023 General Legislative Session, the Utah State Legislature through House Bill 21 (“HB 21”), enacted new Utah Code § 17D-1-307. Governor Spencer Cox signed HB 21 on March 14, 2023. This section requires all Administrative Control Boards in the State of Utah to adopt a set of Rules of Order and Procedure to “govern a public meeting” of the Administrative Control Board; and

WHEREAS, Utah Code § 17D-1-307 went into effect on May 3, 2023; and

WHEREAS, in order to comply with Utah Code § 17D-1-307, the NSFSD ACB has reviewed and found it appropriate to adopt by this Resolution 2023-02 the Administrative Control Board Rules of Order and Procedure attached hereto as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED, pursuant to Utah Code § 17D-1-307(1)(b)(i), the Administrative Control Board of the North Summit Special Service District hereby adopts the Administrative Control Board Rules of Order and Procedure (the "Rules") attached hereto as Exhibit A. The NSFSD ACB shall conduct its public meetings accordance with the Rules, and shall conspicuously post the same on its website.

APPROVED, ADOPTED, and ENACTED this 11th day of May, 2023.

NORTH SUMMIT FIRE SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

By: 
Title: Board Chair

By: 
Title: Board Vice-Chair

APPROVED AS TO FORM:

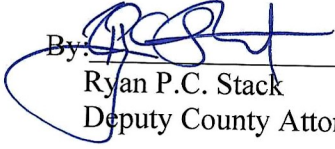
By: 
Ryan P.C. Stack
Deputy County Attorney

EXHIBIT A

**NORTH SUMMIT FIRE SERVICE DISTRICT
ADMINISTRATIVE CONTROL BOARD
RULES OF ORDER AND PROCEDURE**

Order of Business and Organization of Board Agenda

The Board shall consider business in the following order:

- 1.1. Closed session, if needed.
- 1.2. Work/Briefing Session (generally work/briefing sessions will be held prior to the regular sessions, upon call of the President/Chair or two Board Members).
- 1.3. Regular Session (will be held as determined by the Board and include Welcome, Introduction & Preliminary Matters)
 - a. Pledge of Allegiance
 - b. Public comments

The purpose of public comment is to allow residents to address the Board. Residents requesting to address the Board must state their name and area of residence for the minutes. In general, the chair will allow an individual two minutes to address the Board. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. At the conclusion of the citizen comment time, the chair may direct staff to assist the resident on the issue presented, direct the resident to the proper action, or take no action.

- 1.4. Consent Agenda

The Consent Agenda lists Board action items which require no further discussion, or which are routine in nature, including the minutes of prior meetings. All items on the Consent Agenda shall be adopted by a single motion and roll call vote. Prior to the motion to adopt the Consent Agenda, any Board member may have any item removed from the Consent Agenda in order to permit discussion on that item. If a majority of the quorum present at the Board meeting vote in favor of adopting the Consent Agenda, every item on the Consent Agenda shall be adopted.
- 1.5. Action items - consideration of approval (business matters)
- 1.6. Financial Matters (reports, budget items, procurement approval requests, etc.)
- 1.7. Committee Reports (committee chair must request item before agenda is published)
- 1.8. Other items as needed
- 1.8. Board Comments
- 1.9. Adjournment

The Board may, by motion and majority vote, proceed out of order to any order of business and return to order.

Motions

- 2.1. Motions can be made or seconded by any member of the Board (the Chair shall generally refrain from making a motion unless it is evident that no other Board member is willing to do so). No motion shall be debated until it has been seconded and announced by the Chair.
- 2.2. Any motion may be modified by the sponsor of the motion, with the consent of the second, or withdrawn by the sponsor, with consent of the chair, at any time before amendment or voting.
- 2.3. When a question is under debate, the procedural motions listed below, shall require a majority vote of the quorum present at the Board meeting. The Chair will consider motions to:
 - a. Recess
 - b. Suspend the rules to address an immediate more urgent matter (this motion requires a two-thirds majority)
 - c. Cease debate and call for a vote (“call the question”)
 - d. Postpone to a set time and date
 - e. Refer to a committee
 - f. Limit debate
 - g. Table the motion (postpone indefinitely)
 - h. Amend
- 2.4. Any amendment must relate to the same subject as the original motion under consideration.

Debate

- 3.1. The Chair shall recognize any Board member requesting recognition to speak, debate, make a motion, submit a report, or for any reason, address the Board, unless a motion taking precedence is offered.
- 3.2. The Chair shall recognize the author of the motion first and then others wishing to address the motion.
- 3.3. During debate, the Chair shall be responsible for maintaining order. If private discourse among or between Board members or any other disturbance disrupts the Board’s business, the Chair may call the Board to order. When the Chair calls the Board to order, all discussion and other disturbance shall cease.
- 3.4. Any Board member may make a motion to call to order, a point of personal privilege, or for information on or clarification of the motion. A motion for any of these issues does not require a second and is not debatable.
- 3.5. All Board members shall be allowed to speak once on each motion before any member may speak a second time.

Motions Decided Without Debate

The following motions will be decided without debate:

- 4.1. Adjourn
- 4.2. Recess
- 4.3. Suspend the rules
- 4.4. Cease debate and call for a vote
- 4.5. Limit debate
- 4.6. Table the motion (may be limited debate on the propriety of the motion to table)

Voting

- 5.1. Voting shall be in the form of “yes,” “no,” or “abstain.”
- 5.2. At least a quorum must be present before a vote may be taken. All votes requiring a majority shall be a majority of the quorum present.
- 5.3. An expression of “abstain” during voting shall be considered as a no vote. A Board member who abstains on a question, or is absent, may not move to reconsider that question.
- 5.4. In the case of a tie vote, the motion shall fail.
- 5.5. Board members shall not explain their votes during the call of the roll or at the time of a voice vote. However, at the conclusion of the vote, any Board member may request a point of personal privilege to give an explanation of their vote.

When Board Members Shall Vote

- 6.1. With at least a quorum present, every Board member who is in the meeting at the time the vote is called shall vote. On a roll call vote, votes shall be cast as the roll is called. Roll call votes shall proceed as directed by the Chair.

Decorum

- 7.1. No Board member shall walk about in or out of the meeting while the Chair is calling the vote.
- 7.2. Board members should avoid engaging in private discourse or committing any other act which may tend to distract the attention of the Board or the audience from the business before the Board, or interfere with any person’s right to be heard after recognition by the Chair.
- 7.3. When speaking to or debating a specific subject before the Board, all persons, including Board members, shall confine their remarks to the topic under discussion or debate, avoiding personal attacks. Anyone engaging in discussion or debate beyond the topic before the Board shall be ordered to stop by the Chair and no further discussion or debate will be allowed by said person.
- 7.4. No one may address the Board without first being recognized by the Chair. Only one Board member may speak at a time.

Reconsideration

- 8.1. Any Board member who has voted with the prevailing side of a question may move at the same meeting to reconsider the question.
- 8.2. A motion to reconsider shall require the affirmative vote of a majority of the quorum present.

Amendment, Revision or Addition to the Bylaws/Rules of Procedure

- 9.1. Any Board member may propose amendments, revisions, or additions to these Rules of Procedure.
- 9.2. Each amendment, revision, or addition proposed by a Board member shall be in written form and copies shall be provided to each Board member.
- 9.3. A majority vote of all Board members in a regular Board meeting shall be required for passage and adoption of any amendment, revision, or addition to these Rules of Procedure.

Roberts Rules of Order

- 10.1. With respect to matters not described above, Roberts Rules of Order – Simplified shall govern.